

FILED
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THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

MICHAEL NELSON, ANTWAN BUTLER,
and DEMETRIOUS REED

No.

1:22-CR-00029

Violations: Title 18, United States
Code, Sections 371, 2314, and 2

COUNT ONE

**JUDGE LEFKOW
MAGISTRATE JUDGE JANTZ**

The SPECIAL MAY 2021 GRAND JURY charges:

1. At times material to this indictment:

a. Store A was a national home improvement retail store with locations in multiple states, including in Illinois, Wisconsin, South Carolina, Kentucky, Iowa, Pennsylvania, Georgia, Maryland, New Jersey, and others.

2. Beginning no later than on or about September 3, 2019, and continuing through on or about February 22, 2020, in the Northern District of Illinois, Eastern Division, and elsewhere,

MICHAEL NELSON,
ANTWAN BUTLER, and
DEMETRIOUS REED,

defendants herein, conspired with each other, and with others known and unknown to the Grand Jury, to transport and transfer in interstate commerce goods, wares, and merchandise, of a value of more than \$5,000, knowing that such goods, wares, and merchandise had been stolen, converted, and taken by fraud, in violation of Title 18, United States Code, Section 2314.

3. It was part of the conspiracy that defendants MICHAEL NELSON, ANTWAN BUTLER, DEMETRIUS REED, and others recruited individuals to rent equipment from Store A retail locations, some of which were not located in Illinois.

4. It was further part of the conspiracy that defendants NELSON, BUTLER, REED, the individuals they recruited, and others travelled from Illinois to other states to steal, convert, and take by fraud equipment from Store A retail locations.

5. It was further part of the conspiracy that defendants NELSON, BUTLER, and REED rented, and caused others to rent, landscaping equipment and other equipment from Store A retail locations.

6. It was further part of the conspiracy that defendants NELSON, BUTLER, REED, and others used debit and credit cards to partially pay for the equipment from Store A.

7. It was further part of the conspiracy that defendants NELSON, BUTLER, REED, and others transported, and caused others to transport, the equipment stolen, converted, and taken by fraud from Store A retail locations to the Chicago, Illinois area.

8. It was further part of the conspiracy that defendants NELSON, BUTLER, REED, used, and caused others to use, an online marketplace to sell the equipment that was obtained from Store A retail locations.

9. As a result of the conspiracy, defendants NELSON, BUTLER, REED, and others known and unknown to the Grand Jury caused a loss to Store A in excess of \$500,000.

OVERT ACTS

10. To effect the object of the conspiracy, NELSON, BUTLER, and REED did commit the following overt acts, among others, in the Northern District of Illinois, Eastern Division, and elsewhere:

a. On or about September 6, 2019, NELSON and BUTLER travelled from the Northern District of Illinois to Wisconsin.

b. On or about September 6, 2019, NELSON, BUTLER, and Individual A stole, converted, and took by fraud a Toro Dingo TX427 Hydraulic Package with a trailer and additional equipment from a Store A location in Wauwatosa, Wisconsin.

c. On or about September 6, 2019, NELSON and BUTLER transported, and caused to be transported, the Toro Dingo TX427 Hydraulic Package from Wauwatosa, Wisconsin to Chicago, Illinois.

d. On or about September 6, 2019, in Chicago, Illinois, NELSON placed, and caused to be placed, on an online marketplace an advertisement offering for sale the Toro Dingo TX427 Hydraulic Package obtained on September 6, 2019.

e. On or about September 12, 2019, NELSON and BUTLER travelled from the Northern District of Illinois to Kentucky.

f. On or about September 12, 2019, NELSON, BUTLER, and Individual B stole, converted, and took by fraud a Toro Dingo TX427 Hydraulic Package and additional equipment from a Store A location in Louisville, Kentucky.

g. On or about September 12, 2019, NELSON and BUTLER transported, and caused to be transported, the Toro Dingo TX427 Hydraulic Package from Louisville, Kentucky to Chicago, Illinois.

h. On or about September 13, 2019, in Chicago, Illinois, NELSON placed, and caused to be placed, on an online marketplace an advertisement offering for sale the Toro Dingo TX427 Hydraulic Package obtained on September 12, 2019.

i. On or about September 25, 2019, NELSON and BUTLER travelled from the Northern District of Illinois to Iowa.

j. On or about September 25, 2019, NELSON, BUTLER, and Individual C stole, converted, and took by fraud a Toro Dingo TX427 Hydraulic Package and additional equipment from a Store A location in Bettendorf, Iowa.

k. On or about September 25, 2019, NELSON, BUTLER, and Individual D stole, converted, and took by fraud another Toro Dingo TX427 Hydraulic Package from a Store A location in Cedar Rapids, Iowa.

l. On or about September 25, 2019, NELSON and BUTLER transported, and caused to be transported, the Toro Dingo TX427 Hydraulic Package from Cedar Rapids, Iowa to Chicago, Illinois.

m. On or about January 3, 2020, NELSON, BUTLER, and REED stole, converted, and took by fraud a Toro TX1000 Dingo and two trailers from a Store A location in Rock Hill, South Carolina.

n. On or about January 3, 2020, NELSON and BUTLER travelled from South Carolina to North Carolina.

o. On or about January 3, 2020, NELSON, BUTLER, and Individual E stole, converted, and took by fraud a Toro TX1000 Dingo and a trailer from a Store A location in Matthews, North Carolina.

p. On or about January 4, 2020, NELSON and BUTLER transported, and caused to be transported, the Toro TX1000 Dingo from Rock Hill, South Carolina to Chicago, Illinois.

q. On or about January 4, 2020, NELSON and BUTLER transported, and caused to be transported, the Toro TX1000 Dingo from Matthews, North Carolina to Chicago, Illinois.

r. On or about January 4, 2020, in Chicago, Illinois, BUTLER placed, and caused to be placed, on an online marketplace an advertisement offering for sale a Toro TX1000 Dingo obtained on January 3, 2020.

s. On or about January 31, 2020, NELSON, BUTLER, REED, and Individual F stole, converted, and took by fraud a Toro Dingo TX427 Hydraulic Package with a trailer and additional equipment from a Store A location in Bensalem, Pennsylvania.

t. On or about January 31, 2020, NELSON and BUTLER travelled from Pennsylvania to New Jersey.

u. On or about January 31, 2020, NELSON and BUTLER transported, and caused to be transported, the Toro Dingo TX427 Hydraulic Package from Bensalem, Pennsylvania to Neptune, New Jersey.

v. On or about February 1, 2020, NELSON, REED, and Individual F stole, converted, and took by fraud a power buggy with a trailer and additional equipment from a Store A location in Neptune, New Jersey.

w. On or about February 3, 2020, NELSON and BUTLER transported, and caused to be transported, the Toro Dingo TX427 Hydraulic Package and the power buggy from Neptune, New Jersey to Chicago, Illinois.

x. On or about February 20, 2020, NELSON, REED, and Individual G stole, converted, and took by fraud a Toro Dingo TX427 Hydraulic Package and additional equipment from a Store A location in Halethorpe, Maryland.

y. On or about February 20, 2020, NELSON and REED stole, converted, and took by fraud a Toro Dingo TX427 Hydraulic Package and additional equipment from a Store A location in Ellicott City, Maryland.

z. On or about February 21, 2020, NELSON transported, and caused to be transported, the two Toro Dingo TX427 Hydraulic Packages from Maryland to Chicago, Illinois.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

The SPECIAL MAY 2021 GRAND JURY further charges:

On or about September 6, 2019, in the Northern District of Illinois, Eastern Division, the Eastern District of Wisconsin, and elsewhere,

MICHAEL NELSON and
ANTWAN BUTLER,

defendants herein, did transport, transfer, and cause to be transported, transmitted, and transferred, in interstate commerce, from Wisconsin to Illinois, goods, wares, and merchandise with a value of more than \$5,000, namely landscaping equipment with a total value over \$20,000, knowing that such goods, wares, and merchandise had been stolen, converted, and taken by fraud;

In violation of Title 18, United States Code, Sections 2314 and 2.

COUNT THREE

The SPECIAL MAY 2021 GRAND JURY further charges:

On or about September 12, 2019, in the Northern District of Illinois, Eastern Division, the Western District of Kentucky, and elsewhere,

MICHAEL NELSON and
ANTWAN BUTLER,

defendants herein, did transport, transfer, and cause to be transported, transmitted, and transferred, in interstate commerce, from Kentucky to Illinois, goods, wares, and merchandise with a value of more than \$5,000, namely landscaping equipment with a total value over \$20,000, knowing that such goods, wares, and merchandise had been stolen, converted, and taken by fraud;

In violation of Title 18, United States Code, Sections 2314 and 2.

COUNT FOUR

The SPECIAL MAY 2021 GRAND JURY further charges:

On or about September 25, 2019, in the Northern District of Illinois, Eastern Division, the Southern District of Iowa, and elsewhere,

**MICHAEL NELSON and
ANTWAN BUTLER,**

defendants herein, did transport, transfer, and cause to be transported, transmitted, and transferred, in interstate commerce, from Iowa to Illinois, goods, wares, and merchandise with a value of more than \$5,000, namely, landscaping equipment with a total value over \$20,000, knowing that such goods, wares, and merchandise had been stolen, converted, and taken by fraud;

In violation of Title 18, United States Code, Sections 2314 and 2.

COUNT FIVE

The SPECIAL MAY 2021 GRAND JURY further charges:

On or about January 3, 2020, in the Northern District of Illinois, Eastern Division, the District of South Carolina, and elsewhere,

MICHAEL NELSON,
ANTWAN BUTLER, and
DEMETRIOUS REED,

defendants herein, did transport, transfer, and cause to be transported, transmitted, and transferred, in interstate commerce, from South Carolina to Illinois, goods, wares, and merchandise with a value of more than \$5,000, namely, landscaping equipment with a total value over \$30,000, knowing that such goods, wares, and merchandise had been stolen, converted, and taken by fraud;

In violation of Title 18, United States Code, Sections 2314 and 2.

COUNT SIX

The SPECIAL MAY 2021 GRAND JURY further charges:

On or about January 31, 2020, in the Northern District of Illinois, Eastern Division, the Eastern District of Pennsylvania, and elsewhere,

MICHAEL NELSON,
ANTWAN BUTLER, and
DEMETRIOUS REED,

defendants herein, did transport, transfer, and cause to be transported, transmitted, and transferred, in interstate commerce, from Pennsylvania to Illinois, goods, wares, and merchandise with a value of more than \$5,000, namely, landscaping equipment with a total value over \$20,000, knowing that such goods, wares, and merchandise had been stolen, converted, and taken by fraud;

In violation of Title 18, United States Code, Sections 2314 and 2.

COUNT SEVEN

The SPECIAL MAY 2021 GRAND JURY further charges:

On or about February 20, 2020, in the Northern District of Illinois, Eastern Division, the District of Maryland, and elsewhere,

**MICHAEL NELSON and
DEMETRIOUS REED,**

defendants herein, did transport, transfer, and cause to be transported, transmitted, and transferred, in interstate commerce, from Maryland to Illinois, goods, wares, and merchandise with a value of more than \$5,000, namely, landscaping equipment with a total value over \$20,000, knowing that such goods, wares, and merchandise had been stolen, converted, and taken by fraud;

In violation of Title 18, United States Code, Sections 2314 and 2.

FORFEITURE ALLEGATION

The SPECIAL MAY 2021 GRAND JURY further alleges:

1. Upon conviction of an offense in violation of Title 18, United States Code, Sections 2314, as set forth in this Indictment, defendants shall forfeit to the United States of America any property which constitutes and is derived from proceeds traceable to the offense, as provided in Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. If any of the property described above, as a result of any act or omission by a defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty, the United States of America shall be entitled to forfeiture of substitute property, as provided in Title 21, United States Code Section 853(p).

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY